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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,704	08/08/2002	Chun-Jen Chen	112.P14213	9333

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BERKELEY LAW & TECHNOLOGY GROUP, LLP
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EXAMINER

GRANT II, JEROME

ART UNIT	PAPER NUMBER
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2625

MAIL DATE	DELIVERY MODE
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11/21/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/064,704	CHEN ET AL.	
	Examiner	Art Unit	
	Jerome Grant II	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24, 27-32, 36-40 and 43-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-18 and 57 is/are allowed.
- 6) ☒ Claim(s) 19, 21-24, 26, 28-31, 36-40, 44-51, 53-56 and 58 is/are rejected.
- 7) ☒ Claim(s) 20, 27, 32, 43 and 52 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

1.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 19, 21-24, 26, 28-31, 36-40, 44-51, 53-56 and 58 are rejected under 35 U.S.C. 102(b) as being anticipated by Chang.

With respect to claim 19, Chang teaches an image compensation method, comprising: disposing a light source (fluorescent tube) reflecting element 27 on a carrier 31, the light source being adapted to provide light to a scanning location 32; disposing a plurality of reflecting elements (7,8,9) on a supporting frame 20, wherein at least one of said reflecting elements is adapted to reflect light provided by the light source and reflect a beam of light biased towards a particular color (red, green or blue); and positioning the plurality of reflecting elements so that one of the reflecting elements is in a position to reflect light provided by the light source 28 and provide the reflected light to the scanning location 32, wherein the light source, the supporting frame and the scanning location are positioned to form a substantially triangular configuration, see figure 8.

With respect to claim 21, see col. 2, lines 45-47.

With respect to claim 22, Chang teaches wherein the beam of light is reflected within a scanner surface (7', 8' and 9').

With respect to claim 23, see col. 2, lines 45-47.

With respect to claim 24, see lamp 28, which includes use of a day lamp.

With respect to claim 26, Chang teaches an image compensation method, comprising: disposing a light source (fluorescent tube) reflecting element 27 on a carrier 31, the light source being adapted to provide light to a scanning location 32; disposing a plurality of reflecting elements (7, 8, 9) on a supporting frame 20, wherein at least one of said reflecting elements is adapted to reflect light provided by the light source and reflect a beam of light biased towards a particular color (red, green or blue); and positioning the plurality of reflecting elements so that one of the reflecting elements is in a position to reflect light provided by the light source 28 and provide the reflected light to the scanning location 32, wherein the light source, the supporting frame and the scanning location are positioned to form a substantially triangular configuration, see figure 8.

With respect to claim 28, see figures 5a and 4b.

With respect to claim 29, see figures 4a and 4b and col. 2, lines 45-47.

With respect to claim 30, see col. 2, lines 42-47.

With respect to claim 31, Chang teaches a carrier 20, comprising: a groove 7', 8' and 9') and a reflecting element (7, 8, 9) on the carrier and coupled to the interior surface of the groove, the reflecting element having a plurality of regions (r, g, b) wherein at least one region comprises a plurality of colors, wherein the reflecting element is adapted to reflect light having a selected color content in a beam of light wherein the beam of light has a color content different with respect to the selected color content and has a color bias different from the selected color content among the group of red, green and blue wherein the reflected light is directed to an image to be scanned. See figure 8.

With respect to claim 36, Chang teaches an image compensation structure for a scanner, comprising: a light source 28 disposed in the scanner and adapted to produce light having a selected color content white); a light compensator reflective element 27 disposed in the scanner and adapted to reflect at least a portion of the light produced by the light source toward a scanning location wherein the light compensator includes: a supporting frame 31 and a reflecting element disposed on the supporting frame 30 wherein the reflecting element is adapted to reflect light from the light source to produce

a beam of light having a color content different from the selected color content (r,g,b) wherein the light source, the light compensator and the scanning location are positioned to form a triangular configuration, see figure 8.

With respect to claims 37-39 and 48-50, see col. 2, lines 45-47.

With respect to claim 40, see lamp 28, which includes use of a day lamp.

With respect to claim 44-46, see figures 4a and 4b.

With respect to claim 47, Change teaches an image compensation method, comprising: obtaining a response graph associated with a color content among three primary colors of light provided by a target light source 28, by employing an optical sensor chip; obtaining voltage values (via CCD 17) associated with the three primary colors (red, green and blue); determining color content of a compensating light beam by employing the obtained response graph (see the circuit of figure 7c); employing the obtained voltage values of the three primary colors to produce a suitable strength for the compensating light beam (circuit of figure 7c); and positioning a reflecting element proximate a light source having a first color (RGB) so that the reflecting element reflects light from the light source to produce a beam of light having a second color content (the other of two colors from RGB not selected as the first) or content and a magnitude in accordance with the compensating beam, wherein the reflected beam of light travels to the scanning location 32.

With respect to claim 51, see lamp 28, which includes use of a day lamp.

With respect to claims 53-55, see figures 4a and 4b.

With respect to claim 56, Chang teaches wherein the light from the light source and reflected light from the reflecting element both converge to a scanning location 17 wherein the light source 28, the reflecting element and the scanning location are positioned to form a triangle, see figure 8.

With respect to claim 58, the scanner (reader is CCD 17).

2.

Claims Objected

Claims 20, 27, 32, 43, 52 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

3.

Claim Allowed

Claims 1-18 are allowed.

Claim 57 is allowed for reason the prior art does not provide in claimed combination, the last limitation of the claim.

4.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 571-272-7463. The examiner can normally be reached on Mon.-Fri. from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles, can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a series of loops and a final flourish.